

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Functional Area: Facilities Operations	Reference Number: IIB09-0002 (209.07)	Revises Previous Effective Date: 8/01/13
Subject: Segregation - Tier I: Disciplinary, Protective Custody and Transient Housing		
Authority: Bryson/Jacobs	Effective Date: 04/30/15	Page 1 of 13

I. POLICY:

The Warden or Superintendent and their designee may place an offender in the Tier I Segregation Program in the following circumstances:

- A.** The offender is noted as a threat to the safe and secure operation of the Facility;
- B.** The offender is awaiting disciplinary hearing for a violation of Facility rules;
- C.** The offender is the subject of an investigation regarding a serious violation of Facility rules or regulations;
- D.** The offender is involved in incidents involving excessive destruction of state property;
- E.** The offender is the subject of a pending criminal investigation or has a pending criminal charge and is awaiting trial in State of Federal Court;
- F.** The offender requests admission to the Tier I Program for protective custody, or the staff determines that admission to or continuation in the Tier Segregation Program is necessary for the offender's own protection;
- G.** The offender is awaiting a pending transfer or is in holdover status during the transfer process; or
- H.** The offender has not been classified due to their arrival at a Facility.

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II. APPLICABILITY:

All State Prisons, County CIs, Private Prisons, Intensive Treatment Facilities, Transitional Centers, Probation Detention Centers, and Probation Boot Camp housing GDC offenders or probationers.

III. RELATED DIRECTIVES:

A. GDC Rules: 125-3-1-.03, 125-3-2-.10 (e), 125-3-5-.06 (1).

B. GDC SOPS:

1. Function Area I:

a. IK01-0006- Investigation of Allegations of Sexual Contact, Sexual Abuse, and Sexual Harassment of Offenders.

2. Function Area II:

a. IIA06-0001- Management of Inmates Diagnosed Positive for the HIV Antibody,

b. IIA07-0006- Disciplinary Duty Officer,

c. IIA07-0007- Post Orders,

d. IIB01-0005- Visitation of Inmates,

e. IIB01-0013- Searches, Security Inspections and Use of Permanent Logs,

f. IIB01-0024- Inmate/Probationer Drug Testing,

g. IIB02-0004- Disciplinary Isolation,

h. IIB04-0001- Inmate/Probationer Mail and Receipt of Funds,

i. IIB05-0001- Statewide Grievance Procedure,

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- j. IIB06-0002- Management of Inmate Property or Contraband,
- k. IIB08-0001- Use of Force and Restraint for Inmate Control,
- l. IIB08-0005- Stripped Cells and Temporary Confiscation of Personal Property,
- m. IIB12-0002- Inmate Boot Camp - Classification and Assignment,
- n. IIB15-0001- Intensive Therapeutic Program.

3. Function Area IV:

- a. IVL01-0011- Food Service Staff,
- b. IVP01-0002- Training Registration Fee Requests.

4. Function Area V:

- a. VA01-0011 Special Religious Request,
- b. VH01-0003 State Inmates in County Correctional Institutions,
- c. VH30-0008- Transcription of Medical Orders.
- d. VG40-0001: MH/MR Rounds in Isolation / Administrative Segregation Units

- C. ACA Standards: 3-4237, 3-4238, 3-4241, 3-4242, 3-4239, 3-4249, 3-4253, 3-4250, 3-4251, 3-4254, 3-4255, 3-4259, 3-4256, 3-4257, 3-4258, 3-4261, 3-4248, 3-4246 and 3-4247.

IV. DEFINITIONS:

- A. Classification Committee: For purposes of the Tier I Segregation Program, the Classification Committee will consist of the Unit Manager, Tier I OIC, assigned counselor and as applicable, the assigned mental health counselor.

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B. Tier 1 Segregation Program: Program for the involuntary and voluntary placement and management of offenders in short-term segregated housing.

V. ATTACHMENTS:

Attachment 1: Tier I Program 96 Hour Segregation Hearing Report

Attachment 2: Tier I Program Offender Assignment to Segregation Memo

Attachment 3: Tier I Program Assignment Appeal Form

Attachment 4: Tier I Program Segregation/Isolation Checklist

Attachment 5: Tier I Program 30 Day Review Form

Attachment 6: Tier I Program 30 Day Review Appeal Form

VI. PROCEDURE:

NOTE: Use the "Tier I Assignment to Segregation" memo, Attachment 2, to document each offender assignment to the Tier I Program whether the assignment was voluntary or involuntary, whether a hearing was held and the offender has a rebuttal. Use the "Tier I Segregation Hearing" form, Attachment 1, to record the events of the hearing.

NOTE: Per SOP VH30-0009 (Health Evaluation of Inmates/Probationers in Segregation/Disciplinary Isolation), upon placement of an offender in segregation, correctional staff will notify a medical provider as soon as possible. An in-person physical assessment is not required unless review of the health record or communication from the officer indicates that the offender may have a health condition that requires an immediate evaluation, or a use of force has occurred. In the event of a use of force a complete health evaluation will be conducted in accordance with VH30-0011 (Examination Following Use of Force).

A. Voluntary Assignment to the Tier I Segregation Program:
An offender may request placement in the Tier I Program for protective custody.

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1. The offender should submit the request in writing. The request must explain why the offender needs protective custody, and it should list who the offender thinks might hurt him/her, if known.
2. The Warden/Superintendent or designee will review the request. If the request has merit, the offender will be placed in Tier I protective custody.
3. The investigation will include an interview with the offender. The notes of the interview will be retained in a secure area apart from the offender's Facility/Center file.
4. If the Warden/Superintendent or designee determines that the result of the investigation does not justify protective custody, the offender may be returned to the general population.
5. The Warden/Superintendent or designee will attempt to institute alternative means to resolve the problem presented by the offender.
6. Double bunking of offenders in protective custody status shall occur only in emergency situations and only with the recommendation of the Facility's Classification Committee. This recommendation shall be approved by the Facility's Warden. This approval shall not exceed 72 hours. Offenders housed in this manner beyond the 72-hour time limit must be approved in writing by the Director of Facilities Operations or his/her designee.

B. Involuntary Assignment to Tier I Segregation Program:

Subsequent to an involuntary assignment of an offender to the Tier I Program, the Warden/Superintendent shall ensure the Classification Committee holds a formal hearing within ninety-six (96) hours after the offender is placed in the Tier I Program. (Refer to Attachment 1)

1. The offender will be provided a copy of the Tier I Assignment Memo (Attachment 2) stating the reason(s) why the offender is being placed in the Tier I Program at the time of placement.

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2. For the initial Tier I Program hearing, the offender may request that an employee who is on duty, represent the offender by being the offender's advocate at the initial Tier I Program hearing. The offender may also request that witnesses be called on his/her behalf and the Classification Committee will have the discretion to call these witnesses.

C. Assignment by Supervisor: In the absence of the Warden/Superintendent, the senior officer present, with the notification and approval of the Facility/Center duty officer, may place an offender in the Tier I Program for a period not to exceed seventy-two (72) hours. The Warden/Superintendent shall be notified of this action as soon as he/she returns to the Facility/Center.

D. Process for Placement in Tier I Program: The following conditions must be met prior to an offender being placed in the Tier I Program for any of the reasons set forth in Section I: POLICY of this SOP:

1. Placement in the Tier I Program is driven by an offender's behavior. Examples include but are not limited to: an offender who receives a disciplinary report (DR) of High and/or Greatest severity; presents a danger to staff's and offenders' safety; or poses a threat or is disruptive to the integrity of institutional management. Such assignment shall be fully documented as to the necessity of placement. The documentation shall also identify the date on which the initial Tier I hearing occurred and shall identify the facts offered in rebuttal at the hearing by the offender.
2. The offender may submit reasons, in writing, to the Classification Committee at the time of such hearings regarding the offender's continued assignment to the Tier I Program. A record of each hearing shall be maintained by the Classification Committee.
3. Completion of the Tier I Program is dependent upon the offender's ability to abide by all of the rules and regulations in the Inmate Discipline Policy to

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include: being "inspection ready" during the Warden's/Superintendent's rounds; to be courteous and respectful of all Facility staff; to cease all disruptive behaviors including verbal threats and gestures toward staff and other offenders; and to fulfill/complete all instructions issued by staff.

4. The offender can exercise his right to due process by appealing the assignment to Tier I Program by submitting written objections (via attachment 3) to the Warden/Superintendent within three (3) business days from receipt of the notice. The offender must include detailed information as to why he/she is appealing the assignment. The offender will submit his/her appeal to his/her assigned counselor, for processing with the Tier I Program Unit Manager's office.
 - a. The Warden/Superintendent will complete the review of the offender's appeal. This review must be completed within ten (10) business days upon receipt of the appeal.
 - b. The Warden's/Superintendent's final decision will be sent to the respective Field Operations Manager.

E. Conditions of the Tier I Program: The basic level of conditions described below applies to the Tier I Unit:

1. Cells shall be well ventilated, adequately lighted, appropriately heated and maintained in a sanitary condition at all times. All cells shall be equipped with beds which may be securely fastened to the wall or floor.
2. Cell occupancy, except in emergency, shall not exceed design capacity. When an emergency requires excess occupancy, a report shall be prepared immediately and delivered to the Warden/Superintendent for review and corrective action.

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3. Each offender shall be provided the same opportunities for personal hygiene available to the general population, except that an offender may be limited to showering and shaving three (3) times per week.
4. Visiting and correspondence privileges accorded to general population shall be allowed to offenders in Tier I Program (see SOP IIB01-0005). No restrictions shall be placed upon an offender's contact with courts or legal counsel. Protective custody and disciplinary segregation offenders shall in general have the same rights to visitation as general population offenders unless this is not feasible. Non-feasibility must be documented. An example would include offenders with documented assaultive and destructive behavior.
5. Food provided to offenders in the Tier I Program shall be the same quality and quantity as that provided in the general population.
6. All cells must be equipped and furnished in a manner consistent with cells designated as Tier I cells.
7. An offender shall normally be assigned all of his or her personal property contingent upon the security needs of the unit.
8. Offenders shall continue to receive the services of a counselor. Offenders may participate in such educational, vocational and/or rehabilitative programs as can be provided within the confines of the Tier I Program Unit, contingent upon the security needs of the unit.
9. Offenders may order items from the commissary but will be limited to the equivalent of \$60.00 of commissary items. Items from the commissary may be withheld if determined by the Correctional Supervisor to be a threat to the security of the Tier I Program Unit.

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10. Exercise periods shall be available for a minimum of five (5) hours per week, with at least one (1) hour per day on five days. This exercise shall be outside the cells, unless security or safety considerations dictate otherwise. (See SOP VE01-0004).

F. Unit Inspection: Monitoring of the unit shall be conducted on a regular basis. Monitoring will enable responsible officials to observe and evaluate conditions of confinement and communicate with confined offenders. These monitoring visits shall be conducted in accordance with the following schedule:

1. The correctional shift supervisor in charge will conduct visits once each shift.
2. Health Care officials will conduct an initial medical round or visit within the first 24 hours after placement and then at a minimum of three times a week excluding weekends and holidays at State Facilities/Centers; and at least once every 72 hours at County Correctional Facilities/Centers.
3. A Psychologist or Psychiatrist will visit when requested by staff or as described in the MH policy.
4. Chief of Security / Unit Manager (if applicable) will conduct daily visits excluding weekends and holidays.
5. General Population Counselor/Mental Health Counselor will conduct visits at a minimum of once per week.
6. The Deputy Warden/Assistant Superintendent will conduct visits at least once each day, excluding weekends/holidays.
7. The Warden/Superintendent will conduct visits at least twice per week.
8. The Institutional Duty Officer will conduct visits daily.

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9. Documentation of rounds - It shall be the responsibility of each individual to document in the appropriate colored ink, so as to provide a clear record of whom has visited the segregation unit. Wardens and Supervisors shall document in red ink. Health Care staff shall document in green ink. Counselors shall document in blue ink and Officers shall document in black ink. This documentation is for the sign in log and all the Tier I Program flow sheets.

G. Warden's/Superintendent's Review of Offenders Assigned to the Tier I Program: Following assignment to the Tier I Program, the offender's counselor shall review the offender's well-being and mental status every seven (7) days, and report his/her findings to the Warden/Superintendent and summarize this report in a Scribe case note. The counselor need not convene a formal hearing for this review and report, since this constitutes a review of the offender's status for the Warden/Superintendent only.

H. Classification Committee's Review of the Tier I Program:

1. The Classification Committee shall conduct a 30 Day Review of all offenders in the Tier I Program. (Refer to Attachment 5) The Classification Committee shall consider the original reason(s) for segregating an offender and his/her behavior during segregation. Each review shall include an evaluation of the offender's disciplinary file. The review is to determine if the offender will:

- a. Remain in the Tier I Program;
- b. Return to General Population; or
- c. Be assigned to the Tier II Program: Administrative Segregation.

2. For offenders assigned to the Tier I Program, the length of time cannot exceed thirty (30) days from the date of assignment, to include investigation and disciplinary isolation time. The only exceptions

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are offenders who are in voluntary protective custody or involuntary protective custody status.

The offender can pursue his due process rights by appealing his/her continued assignment in Tier I Program and submit written objections (via attachment 6) to the Warden/Superintendent within three (3) business days from receipt of the notice. The offender must include detailed information as to why he/she is appealing the assignment. The offender will submit his appeal to his assigned counselor, for processing with the Tier I Unit Manager's office.

- I. Staff Assignments:** The staff of the unit shall be selected carefully and regularly evaluated by the supervisory personnel. The Warden/Superintendent shall ensure staff is provided a special orientation and training as to the function of the unit, rules governing its operation and the needs and problems typical of offenders in the unit. The orientation and training must be documented. Specialized departmental training will be developed to support this.
- J. Permanent Logs:** Permanent logs shall be maintained by the Correctional Officer on duty. The record shall include:
1. A record of all admissions and releases including:
 - a. Date of action.
 - b. Time of action.
 - c. Reason for admission or release.
 - d. Authorizing official or committee.
 2. A record of all official visits from staff to include: name, time, date and signature.
 3. Notations of observations of unusual occurrences or behavior.
 4. Site medical observations/visits and the medical staff conducting the visit.

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K. Accountability Log: The dorm or housing unit officer will maintain an accountability log accurate to the minute, making it possible to give accountability of the whereabouts of each offender assigned to the dorm/housing unit. This log shall include cell/room number, bed number, offender name, offender number, race, in or out time, assignment of offender and destination of offender.

1. The accountability logs shall be printed daily after 1800 hrs, once all daily scheduled offender moves have been completed in both SCRIBE and the offender-housing unit. All unscheduled offender movement will be hand written by the assigned dorm officer on the accountability log with all information recorded as is on the printed log to include: the cell/room number, bed number, race, in or out time, assignment of the offender, and destination of the offender. Accountability logs will be distributed daily by the third shift supervisor/designee.

L. Individual Records: Individual records shall be maintained for each offender in Tier I Program to provide documentation of an offender's daily activities. Use the "Tier I Segregation/Isolation Checklist" (Attachment 4) of this SOP. This record shall:

1. Be completed daily with 30 minute documented checks. The 30 minute checks should be documented when they occur, not at the end of the shift ("**gang" entries shall never be permitted on any of the Tier I Segregation/Isolation forms**).
2. Contain a record of all activity such as bathing, exercise, medical visits, program participation, and religious visits.
3. Be signed by the officer in charge of each shift.
4. Cite medical observations/visits.
5. Include comments of unusual occurrences or behavior.

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6. Be filed in accordance with GDC Rule 125-3-1-.10(e).

- M. Release:** Release from Tier I Program may be authorized by the Warden or Superintendent or his or her designee. Document date and time in the logbook if an offender is to be released back to general population or assigned to Tier II Program: Administrative Segregation. If the offender requests to return to general population from voluntary segregation (protective custody), the offender's request shall be placed in the same file with offender's initial request for protective custody.

VII. RETENTION SCHEDULE:

- A.** Attachment 1 -**Tier I 96 Hour Segregation Hearing Report** of this SOP will become part of the offender's case history file and will be retained according to the official records retention schedule of that file.
- B.** Attachment 2 -**Tier I Segregation Offender Assignment to Segregation Memo** of this SOP will become part of the offender's/probationer's case history file and will be retained according to the official records retention schedule of that file.
- C.** Attachment 3 -**Tier I Assignment Appeal Form** of this SOP will become part of the offender's/probationer's case history file and will be retained according to the official records retention schedule of that file.
- D.** Attachment 4 -**Tier I Segregation/Isolation Checklist** of this SOP will become part of the offender's/probationer's case history file and will be retained according to the official records retention schedule of that file.
- E.** Attachment 5 - **Tier I 30 Day Review Form** of this SOP will become part of the offender's/probationer's case history file and will be retained according to the official records retention schedule of that file.
- F.** Attachment 6 -**Tier I 30 Day Review Assignment Appeal Form** of this SOP will become part of the offender's/probationer's case history file and will be

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retained according to the official records retention schedule of that file.